

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

COPY

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 10:50 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LA FAVORITA DELI GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LA FAVORITA DELI GROCERY, therein named. Said service was effected at 3515 ROCHAMBEAU AVENUE, BRONX, NY 10459, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to VICENTE URENA personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:


Sex: **Male** Skin: **Brown** Hair: **Grey** Age(Approx): **45** Height(Approx): **5' 4"** Weight(Approx): **130-140 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM;—License No.: 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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COPY

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

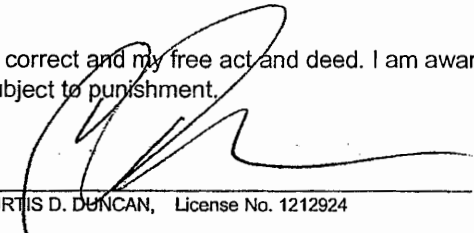
That on October 11, 2007 at 8:56 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LaFAVORITA DELI GROCERY CORP. A NEW YORK CORPORATION DOING BUSINESS AS LaFAVORITA-DELI GROCERY, therein named. Said service was effected at C/O ABS & CO., 1866 WOOD AVENUE, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to JOSE MARTINEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

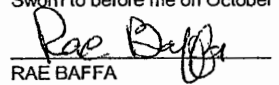
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **White** Hair: **Grey** Age(Approx): **65** Height(Approx): **5' 2"** Weight(Approx): **140-150 lbs**
Other:

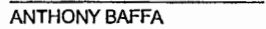
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 11, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

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PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 2:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon UPTOWN DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS TAIZ GROCERY, therein named. Said service was effected at C/O TAIZ GROCERY, 5 EAST GUNHILL RD, BRONX, NY 10467, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MUHAMED ISMEIL personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **41** Height(Approx): **5' 6"** Weight(Approx): **180-190 lbs**

Other: **MUSTACHE & GLASSES**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007

RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010**EVEREADY**PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 11, 2007 at 8:31 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon I & I CONVENIENCE STORE, INC. A NEW YORK CORPORATION DOING BUSINESS AS I & I CONVENIENCE STORE, therein named. Said service was effected at 804A EAST 180TH ST, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to ALI MOHAMED personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

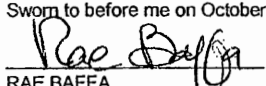
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **49** Height(Approx): **5' 5"** Weight(Approx): **150-160 lbs**
Other: **MUSTACHE**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007


RAE BAFFA

Notary Public, State of New York

No. 4920453

Qualified in Suffolk County

Commission Expires July 5, 2010

Sworn before me on October 11, 2007

ANTHONY BAFFA

Notary Public, State of New York

No. 4974975

Qualified in Suffolk County

Commission Expires November 26, 2010

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PROCESS SERVICE INC.

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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 9:35 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon TW DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS JEROME DELI GROCERY, therein named. Said service was effected at , 1759 JEROME AVENUE, BRONX, NY 10453, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to NAGE SHUAWAT personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **40** Height(Approx): **5' 5"** Weight(Approx): **130-140 lbs**

Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

State of New York, County of Suffolk

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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DATE AFFIDAVIT FILED:

AFFIDAVIT OF SERVICE

COPY

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 25, 2007 at 11:47 AM, deponent served the within named LETTER upon LEENA DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LEENA DELI & GROCERY, therein named. Said service was effected at 1616 BRUCKNER BLVD, BRONX, NY 10473, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to FERNANDO LOPEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **47** Height(Approx): **5' 7"** Weight(Approx): **180-190 lbs**
Other: **MUSTACHE**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 25, 2007

RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 25, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 28, 2007 at 1:05 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MENZAL S. AZOOKARI, INDIVIDUALLY AND DOING BUSINESS AS SOUTHERN BLVD. DELI, therein named. Said service was effected at 907 SOUTHERN BLVD, BRONX, NY 10549, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to ALI AHMED personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

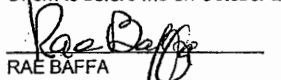
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **24** Height(Approx): **5' 8"** Weight(Approx): **140-150 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

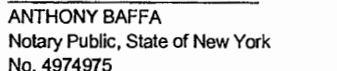


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010**EVEREADY**PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 12:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon BRONX # 1 DISCOUNT GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS NY #1 DISCOUNT GROCERY, therein named. Said service was effected at 192 E. 167TH ST, BRONX, NY 10456, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MOHAMED OULD personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

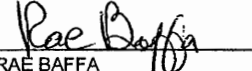
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 10"** Weight(Approx): **190-200 lbs**
Other: **MUSTACHE & BEARD**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 3, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

*against*ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 2:25 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ADEL ELSAIDI, INDIVIDUALLY AND DOING BUSINESS AS NY BEST DELI GROCERY, therein named. Said service was effected at , 721 BURKE AVENUE, BRONX, NY 10455, in the following manner;


By delivering thereat a true copy of *each* to ADEL ELSAIDI, INDIVIDUALLY AND DOING BUSINESS AS NY BEST DELI GROCERY personally; deponent knew said person so served to be the person described as said recipient therein.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **30** Height(Approx): **5' 9"** Weight(Approx): **180-190 lbs**
Other: **MUSTACHE & BEARD**

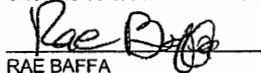
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 5:27 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon RHS GROCERY, INC., A NEW YORK CORPORATION DOING BUSINESS AS RHS DELI GROCERY, therein named. Said service was effected at 1223 BOSTON RD, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to JOSE CRUZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

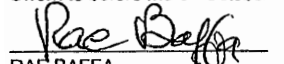
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **40** Height(Approx): **5' 10"** Weight(Approx): **190-200 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
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EVEREADY

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P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

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State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

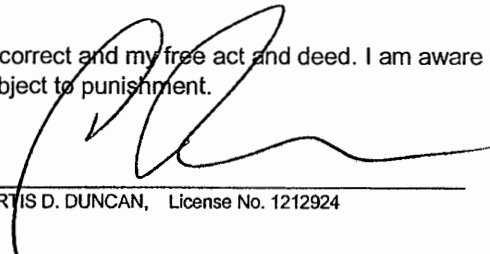
That on October 1, 2007 at 10:26 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon UNIVERSITY DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS UNIVERSITY DELI, therein named. Said service was effected at 1705 UNIVERSITY AVE, BRONX, NY 10453, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MUHEV SHART personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

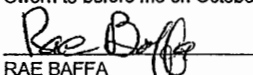
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **26** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other: **MUSTACHE**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
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